

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, JUNE 20, 2016 AT 3:00 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Gaylor Baird; Council Members: Camp, Christensen, Eskridge, Lamm, Raybould; Absent: Fellers; City Clerk: Teresa Meier.

Council Chair Gaylor Baird announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. She asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

READING OF THE MINUTES

ESKRIDGE Having been appointed to read the minutes of the City Council proceedings of June 13, 2016, reported having done so, found same correct.

Seconded by Lamm & carried by the following vote; AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

PUBLIC HEARING

APPLICATION OF SULTANI BROTHERS, INC. DBA GOURMET GRILL FOR A CLASS A LIQUOR
LICENSE AT 1400 O STREET;

MANAGER APPLICATION OF AHMAD H. SULTANI FOR SULTANI BROTHER, INC. DBA GOURMET
GRILL AT 1400 O STREET - Ahmad Sultani, 1400 O Street, came forward to take the oath and requested approval.

Carl Eskridge, Council Member, asked if Mr. Sultani was a new owner of the establishment.

Mr. Sultani stated he is not a new owner of the establishment. He has been the owner for 12 years, and is now looking to sell beer. He was previously an owner of a gas station that he sold.

Mr. Eskridge inquired about the previous business that Mr. Sultani owned called the North Star Express, and the concern about selling that business to an individual who was not a United States Citizen.

Mr. Sultani shared that he did sell the North Star Express to someone who was not a United States Citizen, but he had a partner who was a United States Citizen who applied on his own. Mr. Sultani was not completely sure of their situation, but was told the individual had a green card. Mr. Sultani agreed to work for them at the North Star Express for a few hours to be able to have the liquor license. Shortly after, Mr. Sultani felt he needed to not be involved with the North Star Express and decided to open his own restaurant.

Jon Camp, Council Member, inquired about withholding information on his application regarding other officers that would also be sharing the profits of the business.

Mr. Sultani shared that there might have been a misunderstanding regarding some of the questions.

Roy Christensen, Council Member, shared his concern regarding a number of issues with the application, including not answering some of the questions accurately. Also, there is at least one class 1 misdemeanor on his record. The misdemeanor will automatically send his application to a hearing in front of the State Liquor Control Commission.

Mr. Sultani stated his background is good and the record might be his brothers, Ahmad S. Sultani.

Mr. Christensen confirmed that Ahmad S. Sultani is still listed as an officer and that is also a concern.

Mr. Sultani confirmed Ahmad S. Sultani is not an owner, and he is the only owner. Ahmad S. Sultani was put down as a manager of the corporation. When it was noticed Ahmad S. Sultani had a misdemeanor, Mr. Sultani agreed to remove him completely from the corporation.

Mr. Christensen stated he felt there was still confusion on the application and felt it should be handled at the State level to get clarity on some of the questions that were not answered correctly.

Conan Schafer, Lincoln Police Department Investigator, came forward and clarified the previous application was involving Mr. Sultani's brother, Ahmad S. Sultani, who has the same first and last name as the applicant on this request, with the exception of their middle names. In reviewing the corporate documents, it showed 3 officers listed: Ahmad H. Sultani as President, Ahmad S. Sultani as Secretary, and Ahmad Azgari as Treasurer. All 3 were listed as corporate officers of Sultani Brothers Inc. The other two brothers were not listed on the application.

Leirion Gaylor Baird, Council Chair, asked if anything has changed with 100% of the shares going to Ahmad H. Sultani.

Mr. Schafer confirmed this is a completely separate application from the previous application from Ahmad S. Sultani that appeared in front of Council 2 weeks ago for the Gourmet Grill at Clock Tower. This application is for the Gourmet Grill at 14th and O Street.

Mr. Christensen inquired about another corporation that was formed on the application.

Mr. Schafer shared the previous application from Ahmad S. Sultani and the Gourmet Grill at the Clock Tower location was submitted under George's Gourmet Grill, LLC, doing business as Gourmet Grill. On that application, the individual listed as the sole 100% share holder and President of George's Gourmet Grill, LLC was Ahmad S. Sultani along with his wife, who was not listed as a corporate member and did not submit a spousal affidavit of non participation. After the investigation of George's Gourmet Grill, LLC, it turned out Ahmad S. Sultani was not eligible due to a class 1 misdemeanor. The application was then amended through the Liquor Control Commission to show Ahmad S. Sultani's wife the sole 100% share

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holder and President of the company. Ahmad S. Sultani then signed the spousal affidavit of non participation. The problem was with the lease of the Clock Tower location showing Ahmad H. Sultani and Ahmad Azgari as the signers on the lease. Ahmad H. Sultani informed LPD that George's Gourmet Grill was being operated under Sultani Brothers Inc., and he was not aware of another corporation that was formed by his brother, Ahmad S. Sultani. The situation with both corporations became very confusing and it was difficult to determine who the corporate officers were or who the members were of both corporations. It appeared some members were not being disclosed. In addition, there was another concern that there might be hidden ownership, and possibly a shell corporation. At this point, LPD does not have the ability to go through the Secretary of State to get clarification, but the Nebraska State Patrol Investigators have the ability to do that, but there have been no updates from them.

Mr. Sultani stated he first opened his business at the Clock Tower location and then sold it to his brother, Ahmad S. Sultani because he wanted to completely remove his brother from his corporation. Following that, his brother opened his own corporation, and that is where the confusion is coming in.

This matter was taken under advisement.

APPLICATION OF TIPITNEBKELSER, LLC DBA 1867 BAR FOR A CLASS C LIQUOR LICENSE AT 101 NORTH 14TH STREET, SUITE 6;

MANAGER APPLICATION OF KELSEY M. GRAVES FOR TIPITNEBKELSER, LLC DBA 1867 BAR AT 101 NORTH 14TH STREET, SUITE 6 - Kelsey Graves, 101 N. 14th Street, Suite 6, came forward to take the oath and requested approval.

Jason Ortmeier, 101 N. 14th Street, Suite 6, came forward to take the oath and requested approval.

Carl Eskridge, Council Member, asked for clarification on the space they plan to utilize.

Mr. Ortmeier confirmed they are leasing the middle section of the O Street side that Crawford's once utilized. They will also be using the 14th Street side. The smaller side on O Street will still be retained by Crawford's.

Jon Camp, Council Member, asked if they were leasing from Crawford's or if they are taking over Crawford's lease.

Mr. Ortmeier confirmed they are subleasing from the owner of the building. They paid Crawford's to relinquish the space, then executed a separate lease with the owners of the building.

Roy Christensen, Council Member, confirmed that it appears to be an overlap of liquor licenses. Crawford's has to vacate their space on the liquor license before this application can be approved.

Ms. Graves confirmed Crawford's has put in their application to vacate their space and will be in front of Council.

This matter was taken under advisement.

APPLICATION OF SURYA, LLC DBA SURAJ'S PLACE FOR A CLASS D LIQUOR LICENSE AT 5640 HIDCOTE DRIVE;

MANAGER APPLICATION OF AMRITA B. MAHAPATRA FOR SURYA, LLC DBA SURAJ'S PLACE AT 5640 HIDCOTE DRIVE - Amrita B. Mahapatra, 5200 Trotter Road, came forward to take the oath and requested approval.

Cyndi Lamm, Council Member asked if Ms. Mahapatra took the class that she was scheduled to take on June 9, 2016.

Ms. Mahapatra confirmed she has taken the class and found it very helpful.

Carl Eskridge, Council Member, asked Ms. Mahapatra for more information about the café.

Ms. Mahapatra stated the café will be only for food to go. Everything will be made mostly from scratch and mostly heart healthy food.

This matter was taken under advisement.

APPLICATION OF HOOKSBIZ, INC. DBA TANNER'S BAR & GRILL FOR A CLASS I LIQUOR LICENSE AT 6940 A STREET;

MANAGER APPLICATION OF BRETT C. CLURE FOR HOOKSBIZ, INC. DBA TANNER'S BAR & GRILL AT 6940 A STREET - Shawn Kelly, 7134 Pacific Street, came forward to take the oath and requested approval.

This matter was taken under advisement.

APPLICATION OF EMPYREAN BREWING COMPANY DBA EMPYREAN BREWING COMPANY FOR THE ADDITION OF A CATERING LICENSE TO THEIR CLASS L LIQUOR LICENSE AT 300 SOUTH 7TH STREET - Jim Engelbart, 3340 Franklin Street, came forward to take the oath and requested approval. Discussion followed.

This matter was taken under advisement.

MANAGER APPLICATION OF CYNTHIA B. ELLIOTT FOR KINSETH HOTEL CORPORATION DBA HAMPTON INN AT 7343 HUSKER CIRCLE;

MANAGER APPLICATION OF CYNTHIA B. ELLIOTT FOR KINSETH HOTEL CORPORATION DBA RESIDENCE INN AT 5865 BOBOLI LANE - Cynthia Elliott, 4840 W. Thatcher Lane, came forward to take the oath and requested approval.

Cyndi Lamm, Council Member, asked if Ms. Elliott took her class on June 9, 2016.

Ms. Elliott stated she has taken the course and found it helpful.

This matter was taken under advisement.

MANAGER APPLICATION OF IAN J. BUTLER FOR SHOPKO STORES OPERATING CO., LLC DBA SHOPKO #47 AT 100 SOUTH 66TH STREET, SHOPKO #172 AT 3400 NORTH 27TH STREET, AND SHOPKO #175 AT 6845 SOUTH 27TH STREET - Ian Butler, 6030 S. 193 Avenue, came forward to take the oath and requested approval.

Cyndi Lamm, Council Member, inquired about the class that Mr. Butler is scheduled to take on July 13, 2016.

Mr. Butler confirmed he plans to take the class that is scheduled on July 13, 2016. All employees will also take the State Liquor License test.

This matter was taken under advisement.

APPLICATION OF COTTONWOOD CAFÉ, LLC DBA COTTONWOOD CAFÉ TO EXPAND ITS CLASS C LIQUOR LICENSE BY THE ADDITION TO THE AREA OF A NEW LICENSED AREA DESCRIBED AS A ONE STORY BUILDING MEASURING APPROXIMATELY 81 FEET BY 88 FEET INCLUDING AN OUTDOOR AREA MEASURING APPROXIMATELY 12 FEET BY 48 FEET TO THE SOUTH EXCLUDING BASEMENT LOCATED AT 440 SOUTH 11TH STREET, SUITE C - Nathan Simpson, 1118 Lancaster Lane, came forward to take the oath and requested approval.

This matter was taken under advisement.

APPLICATION OF NHC, LLC DBA CRAWFORD'S TO DELETE AN AREA MEASURING APPROXIMATELY 5 FEET BY 32 FEET AND THE OUTDOOR AREA MEASURING APPROXIMATELY 22 FEET BY 30 FEET FROM ITS CLASS CK LIQUOR LICENSE AT 101 NORTH 14TH STREET, SUITE 1, FOR A NEW DESCRIPTION AS IRREGULAR SHAPED AREA ON MAIN FLOOR MEASURING APPROXIMATELY 65 FEET BY 48 FEET - Colin Daro, 401 Chestnut Drive, came forward to take the oath and requested approval. There is currently a garage door that still connects Crawford's and the space that will be utilized by 1867 Bar. The garage door will be removed and the wall will be completely sealed so there is no entry and exit between the two spaces.

Roy Christensen, Council Member, asked when the wall will be sealed.

Mr. Daro answered they are waiting on the proper permits, but once that is finalized they will begin to work on the wall. They plan to have the wall completed no later than June 26, 2016.

This matter was taken under advisement.

APPLICATION OF SMG FOOD & BEVERAGE, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 786 FEET BY 482 FEET AND 2082 FEET BY 18 FEET AT PINNACLE BANK ARENA AT 400 PINNACLE ARENA DRIVE ON JULY 8 & 9, 2016 FROM NOON TO 2:00 A.M. - Tom Lorenz, Pinnacle Bank Arena, came forward and requested approval.

This matter was taken under advisement.

APPLICATION OF ZIPLINE BREWING CO. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 70 FEET BY 72 FEET AT 2100 MAGNUM CIRCLE, SUITE 1 ON JULY 1, 2016 FROM 3:00 P.M. TO 9:00 P.M. - Craig Reier, 1524 Skyline Drive, came forward and requested approval. Discussion followed.

This matter was taken under advisement.

APPLICATION OF WUNDERROSA, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 1000 FEET BY 700 FEET PLUS IRREGULAR UPPER LEVEL OF BASEBALL FIELD MEASURING APPROXIMATELY 600 FEET BY 700 FEET INCLUDING A BAR MEASURING APPROXIMATELY 20 FEET BY 12 FEET AND A BUFFET AREA TO THE SOUTH MEASURING APPROXIMATELY 30 FEET BY 25 FEET AT LEVY RESTAURANT AT HAYMARKET PARK AT 403 LINE DRIVE ON JULY 13, 2016 FROM 5:00 P.M. TO 10:00 P.M.;

APPLICATION OF STONEBRIDGE VINEYARD, INC. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 1000 FEET BY 700 FEET PLUS IRREGULAR UPPER LEVEL OF BASEBALL FIELD MEASURING APPROXIMATELY 600 FEET BY 700 FEET INCLUDING A BAR MEASURING APPROXIMATELY 20 FEET BY 12 FEET AND A BUFFET AREA TO THE SOUTH MEASURING APPROXIMATELY 30 FEET BY 25 FEET AT LEVY RESTAURANT AT HAYMARKET PARK AT 403 LINE DRIVE ON JULY 13, 2016 FROM 4:00 P.M. TO 11:00 P.M.;

APPLICATION OF GLACIAL TILL VINEYARD & WINERY, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 1000 FEET BY 700 FEET PLUS IRREGULAR UPPER LEVEL OF BASEBALL FIELD MEASURING APPROXIMATELY 600 FEET BY 700 FEET INCLUDING A BAR MEASURING APPROXIMATELY 20 FEET BY 12 FEET AND A BUFFET AREA TO THE SOUTH MEASURING APPROXIMATELY 30 FEET BY 25 FEET AT LEVY RESTAURANT AT HAYMARKET PARK AT 403 LINE DRIVE ON JULY 13, 2016 FROM 5:00 P.M. TO 11:00 P.M.;

APPLICATION OF WHISKEY RUN CREEK VINEYARD & WINERY, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 1000 FEET BY 700 FEET PLUS IRREGULAR UPPER LEVEL OF BASEBALL FIELD MEASURING APPROXIMATELY 600 FEET BY 700 FEET INCLUDING A BAR MEASURING APPROXIMATELY 20 FEET BY 12 FEET AND A BUFFET AREA TO THE SOUTH MEASURING APPROXIMATELY 30 FEET BY 25 FEET AT LEVY RESTAURANT AT HAYMARKET PARK AT 403 LINE DRIVE ON JULY 13, 2016 FROM 5:00 P.M. TO 10:00 P.M.;

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APPLICATION OF JAMES ARTHUR VINEYARDS FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 1000 FEET BY 700 FEET PLUS IRREGULAR UPPER LEVEL OF BASEBALL FIELD MEASURING APPROXIMATELY 600 FEET BY 700 FEET INCLUDING A BAR MEASURING APPROXIMATELY 20 FEET BY 12 FEET AND A BUFFET AREA TO THE SOUTH MEASURING APPROXIMATELY 30 FEET BY 25 FEET AT LEVY RESTAURANT AT HAYMARKET PARK AT 403 LINE DRIVE ON JULY 13, 2016 FROM 7:00 P.M. TO 11:00 P.M. - Taylor Wyatt, 927 N. 86th Street, Event Coordinator, came forward and requested approval.

This matter was taken under advisement.

APPROVING THE TOP HAT TAVERN AS A KENO SATELLITE AT 736 WEST CORNHUSKER HIGHWAY - Katrina Coffey, Vice President of Marketing for Big Red Keno, came forward and asked for approval. Discussion followed.

This matter was taken under advisement.

APPROVING THE 2016-17 WORK PLAN FOR THE INTERLOCAL AGREEMENT ON STORMWATER MANAGEMENT BETWEEN THE CITY OF LINCOLN AND THE LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT TO ADDRESS STORMWATER QUALITY AND QUANTITY ISSUES - Ben Higgins, Public Works, came forward and stated this process happens every year, and they have been doing this process for close to 20 years. This resolution provides the details on the cost shares for projects that are sitting in Public Works coordinated projects. The bonds that were approved at a previous Council meeting specified the cost shares. The projects are all mostly City driven. The projects are completed then a reimbursement is requested from the N.R.D. The projects have to be completed and the interlocal agreement has to be in place to be able to complete the projects.

Jon Camp, Council Member, inquired as to where the funds would come out of on the upcoming budget.

Mr. Higgins stated there are 2-3 items that total to about \$70,000 that would come from the general fund from 2016 and 2018. A cost share is received for the N.R.D. for the projects with grant funding. The N.R.D. performs a range gage and the City reimburses them. Projects are checked on every year, and \$5,000 is set aside for that purpose. If the general budget is not approved, then cost shares are not provided on these projects.

Cyndi Lamm, Council Member, asked about the bond that was approved on May 10, 2016.

Mr. Higgins stated the agreement was written before the May 10, 2016 bond was approved and was sent to the N.R.D. over a month ago. The N.R.D. has to sign the agreement first before it comes in front of Council and there are things that are subject to change with the length of time that could pass from the N.R.D. seeing it and when it comes in front of Council.

Ms. Lamm shared her concern with approving the funds that are coming from the operating budget and Council has not seen the budget.

Mr. Higgins confirmed the cost shares are an estimate and they could be subject to change with the City approval of the budget. Public Works is not asking for an increase in their budget. Discussion followed.

Roy Christensen, Council Member, asked if the item was approved, is the City committed to the expenditures.

Mr. Higgins stated if Council does not approve they cannot perform the projects and request the reimbursement from the N.R.D. Discussion followed.

Leirion Gaylor Baird, Council Chair, asked if Public Works planned on holding off on the projects until the budget is fully approved.

Mr. Higgins shared the department is getting reimbursement for future costs, and the money will not be spent until the budget is approved, and the reimbursements are not asked for until the following year.

This matter was taken under advisement.

AMENDING SECTION 2.62.140 OF THE LINCOLN MUNICIPAL CODE TO ELIMINATE THE 13TH CHECK ACCOUNTING POOL AND PAY 13TH CHECK BENEFITS DIRECTLY FROM THE POLICE AND FIRE PENSION;

AMENDING SECTION 2.65.140 OF THE LINCOLN MUNICIPAL CODE TO ELIMINATE THE 13TH CHECK ACCOUNTING POOL AND PAY 13TH CHECK BENEFITS DIRECTLY FROM THE POLICE AND FIRE PENSION;

AMENDING SECTION 2.66.107 OF THE LINCOLN MUNICIPAL CODE TO ELIMINATE THE 13TH CHECK ACCOUNTING POOL AND PAY 13TH CHECK BENEFITS DIRECTLY FROM THE POLICE AND FIRE PENSION - Don Herz, 1817 St. Andrews Place, came forward and stated he is a member of the Pension Review Committee. The committee met on numerous occasions over a 5 month period, and issued a final report in May, 2016. The committee made several recommendations, one of which deals with the 13th check fund. The recommendation of the committee is that the 13th check fund be pulled with the regular pension fund. This would increase the pension funding from 64% to 84%. The second recommendation is that the City establish funding policies that are consistent with prudent management of a defined benefit plan. The committee further recommends that any new unfunded liabilities, should they occur, be amortized over a period which does not exceed 20 years. The committee strongly recommends that the City fully fund its annual pension obligation to the greater of the actuarial recommended contribution or normal costs. The fourth recommendation is the Council and the Mayor be briefed annually on the performance and the funding status of the pension fund. Finally, the committee made several

calculations with the City's actuary on plan modifications that might result in either savings, or reduce the volatility of new and large increases in unfunded liability. The first 4 recommendations can be done by ordinance change or by administrative action. The last recommendation would require that these go through the collective bargaining process.

Steve Hubka, Finance Director, came forward and said he wanted to address one aspect of the legislation and the benefits. The City recently received rating reports from Standard and Poor's and Moody's and the triple A rating was reaffirmed. One aspect that this provides on a budget standpoint is that this allows the City to reduce the recommended contribution from roughly \$12 million to \$8 million in the upcoming budget. The rating reports had a lot of positive feedback about Lincoln, the economy, fiscal management within the City, and how financial fares have been handled in the past. The report talks about a number of factors that can lead to a down grade, but mentions pension liabilities as a potential downgrade.

Jon Camp, Council Member, asked what could potentially happen in a couple of years with the assumption there is 7.5% on \$200,000 million when there should be \$300,000 million.

Mr. Hubka shared the other change and addition to the rate of return Mr. Camp inquired about can put millions of dollars immediately toward the funding of the overall pension. The actuarial recommendations are based on meeting other expectations, such as the life expectancies do not change, and getting the 7.5%. Those things have to take place or there will be further costs. This is not the one solution that will cure things forever, but it does help with some of the funding issues for the upcoming budget. Future Mayors and future Council members will still have to work towards the funding issue in the future.

Mr. Camp inquired about the current rate of return for this year.

Paul Lutomski, Human Resources, came forward and stated to date for this year assets have earned 3.23%.

Mr. Camp asked what that was equivalent to in the millions.

Mr. Lutomski confirmed the beginning amount was \$204 million and now it is \$206.4 million. The increase in assets also includes payments that have gone out and revenues that have come in. The payments are roughly \$1 million a month. The return rate is 3.2% and that also includes the cash in flow and out flow.

Mr. Camp asked if the City earned 3.2% and there is \$200 million that should calculate to \$6 million in gain.

Mr. Lutomski clarified the realized gain is \$6.7 million, the dividend came to \$3.5 million, and the unrealized is negative \$5 million. There are also tax receipts that come in and payments that go out. Paying out retired City employees also factors into the 3.2%.

Mr. Camp inquired about the tax receipts.

Mr. Lutomski verified the tax receipts are the City contribution and the employee contributions.

Mr. Camp asked what the investment earnings have been.

Mr. Lutomski stated the investment earnings, once everything is factored in, comes out to be 3.2%. There was a meeting with the investment advisor and he did a biannual asset allocation study and presented it to the Investment Board. The results of the study were based on a 20 year forecast, and with pensions, it is preferred by the City to look at them on a 20 year basis. The first 10 years will be invested in differently than the 11-20 years. The ending result from the study shows a median number of 7.55% with the possibility of making 8.75%, and a 25% chance of making 6.3%. Discussion followed.

Mr. Camp stated by shifting the 13th check, we can change that to \$52 million, but that is under the assumption the City gets a rate of 7.5% over the next 30 years.

Mr. Lutomski stated the benefits of changing are not as great if the return rate is less, but there are still benefits of merging the two plans together because the excess over any assumed return rate would go into the 13 check pool under a separate entity, and would not be able to be used by the base. If the return rate is lower than 7.5%, there are still benefits to merging.

Tim Hruza, Lincoln Independent Business Association, came forward in support.

Ron Trouba, President of the Lincoln Firefighters Association, came forward in opposition, and asked for a delay in action to try and find a compromise that is cost effective for citizens of Lincoln, while providing a meaningful benefit for the Fire Fighters and Police Officers.

Cyndi Lamm, Council Member, asked how long of a delay would be proposed.

Mr. Trouba stated his station is currently in negotiations with the City right now, and by the end of August, 2016 if negotiations are not successful that is when they have to file with the C.I.R. It would be ideal to have both issues resolved by then.

Carl Eskridge, Council Member, inquired about the history of the 13th check.

Mr. Trouba confirmed the 13th check is a flat dollar amount that is received by the beneficiaries of the plan that offsets some inflation costs, and the fund was setup and designed to eventually be a true cola. Many retirement plans have cola's; the social security plan has a cola. The Lincoln Firefighter retirement plan does not have a cola. The funds that are currently in the 13th check are there from contributions of employees, contributions from the City, and investment returns. If the City takes all the funds to help with the upcoming budget, it will eliminate the ability to negotiate or achieve that true cola. Discussion followed.

Dan Marvin, 5918 Rolling Hills Boulevard, came forward in opposition.

Mr. Lutomski stated there was a list that was also given to Council on the number of ways to save on costs for the upcoming budget. Merging the 13th check with the regular pension fund saves the highest amount of \$208.9 million.

This matter was taken under advisement.

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CHANGE OF ZONE 16010 - APPLICATION OF LANCASTER COUNTY BOARD OF COMMISSIONERS FOR A CHANGE OF ZONE FROM R-4 RESIDENTIAL DISTRICT TO B-3 COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 2201 SOUTH 17TH STREET; (RELATED ITEMS 16-53, 16R-110)

APPROVING A DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT BETWEEN THE CITY OF LINCOLN, NEBRASKA AND THE COUNTY OF LANCASTER, NEBRASKA TO RESTRICT USE OF THE PROPERTY UNDER THE PROPOSED CHANGE OF ZONE NO. 16010 ON PROPERTY GENERALLY LOCATED AT 2201 SOUTH 17TH STREET (RELATED ITEMS 16-53, 16R-110) - Kerry Eagan, Chief Administrative Officer for the Lancaster County Board, came forward and shared that since the last Council meeting they have been in communication with Bryan Hospital regarding conditions that they would be open to accepting in a change in zone. The County and Bryan came to an agreement to accept a reduction in the amount of parking allowed in a B3 zone, which is 600 square feet per stall. The reduction would be 300 square feet per stall, which would still allow the County full use of the building. The County also agreed to a 20 foot set back if there is new construction along 17th Street, both for parking and buildings. The County has agreed to the O2 zoning usage and the O2 signage requirements. Discussion followed.

Steve Henrichsen, Planning Department, came forward and confirmed the zoning that has been agreed on and the number of parking stalls meets the requirements.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED APRIL 30, 2016 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-89787 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That during the month ended April 30, 2016 \$95,409.77 was earned from the investments of "IDLE FUNDS". The same is hereby distributed to the various funds on a pro-rata basis using the balance of each fund and allocating a portion of the interest on the ratio that such balance bears to the total of all fund balances.

Introduced by Carl Eskridge

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTION AND ORDINANCES PASSED BY CITY COUNCIL ON JUNE 6, 2016 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(27-1)**

PETITIONS & COMMUNICATIONS

THE FOLLOWING WERE REFERRED TO PLANNING:

CHANGE OF ZONE NO. 16017, REQUESTED BY BOARD OF REGENTS, UNIVERSITY OF NEBRASKA, TO REZONE VARIOUS AREAS AROUND UNL EAST CAMPUS TO REFLECT THEIR CURRENT OWNERSHIP AND USAGE, FROM R-2 (RESIDENTIAL) TO P (PUBLIC) ON PROPERTIES GENERALLY LOCATED AT UNL EAST CAMPUS.

USE PERMIT NO. 145B, REQUESTED BY JASTBO, LLC, TO ADD APPROXIMATELY 10,000 SQUARE FEET OF FLOOR AREA AND AN EARLY CHILDHOOD CARE FACILITY AND A COFFEE SHOP, ON PROPERTY GENERALLY LOCATED AT SOUTH 84TH STREET AND EIGER DRIVE.

USE PERMIT NO. 151A, REQUESTED BY DJT ENTERPRISES, LLC, TO ADD MEDICAL OFFICE AS A PERMITTED USE FOR THE EAST "O" OFFICE PARK WITH A WAIVER TO THE PARKING REQUIREMENTS FOR MEDICAL OFFICE, ON PROPERTY GENERALLY LOCATED AT 8020 AND 8040 O STREET.

LIQUOR RESOLUTIONS

APPLICATION OF SULTANI BROTHERS, INC. DBA GOURMET GRILL FOR A CLASS A LIQUOR LICENSE AT 1400 O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for denial:

A-89788 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, pertinent City ordinances, and the following:

- a. If the applicant is of a class of person to whom no license can be issued.
- b. If the existing population of the City of Lincoln and the projected population growth of the City of Lincoln and within the area to be served are adequate to support the proposed license.

- c. If the issuance of the license would be compatible with the nature of the neighborhood or community.
- d. If existing licenses with similar privileges adequately serve the area.
- e. If there are any existing motor vehicle and/or pedestrian traffic flow issues in the area or if this application would cause motor vehicle and/or pedestrian traffic flow issues.
- f. If there is an adequate number of existing law enforcement officers in the area.
- g. If there are zoning and/or distance restrictions that prevent the issuance of a license.
- h. If there are sanitation and/or sanitary conditions on or about the area.
- i. If a citizens' protest has been made.

The City Council recommends to the Nebraska Liquor Control Commission that the application of Sultani Brother, Inc. dba Gourmet Grill for a Class "A" liquor license at 1400 O Street, Lincoln, Nebraska, be denied. The City Council has determined that the application should be denied for one or more of the following reasons:

- a. The applicant is unfit, unwilling, and/or unable to properly provide the service proposed within the City of Lincoln.
- b. The applicant cannot conform to all provisions and requirements of and rules and regulations adopted pursuant to the Nebraska Liquor Control Act and/or pertinent City ordinances.
- c. The applicant has not demonstrated that the type of management and control to be exercised over the premises described in the application will be sufficient to insure that the licensed business can conform to all provisions and requirements of and rules and regulations adopted pursuant to the Nebraska Liquor Control Act, and pertinent City ordinances.
- d. The applicant has not demonstrated that the issuance of the license is or will be required by the present or future public convenience and necessity.

BE IT FURTHER RESOLVED that the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

MANAGER APPLICATION OF AHMAD H. SULTANI FOR SULTANI BROTHER, INC. DBA GOURMET GRILL AT 1400 O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for denial:

A-89789 WHEREAS, Sultani Brothers, Inc. dba Gourmet Grill located at 1400 O Street, Lincoln, Nebraska requests that Ahmad H. Sultani be named manager of its facility in accordance with its application for a Retail Class "A" liquor license.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends to the Nebraska Liquor Commission that Ahmad H. Sultani be denied as manager of this business for said licensee. The City Council has determined that the application should be denied for one or more of the following reasons:

- a. The applicant is unfit, unwilling, and/or unable to properly provide the service proposed within the City of Lincoln.
- b. The applicant cannot conform to all provisions and requirements of and rules and regulations adopted pursuant to the Nebraska Liquor Control Act and/or pertinent City ordinances.
- c. The applicant has not demonstrated that the type of management and control to be exercised over the premises described in the application will be sufficient to insure that the licensed business can conform to all provisions and requirements of and rules and regulations adopted pursuant to the Nebraska Liquor Control Act, and pertinent City ordinances.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

APPLICATION OF TIPITNEBKELSER, LLC DBA 1867 BAR FOR A CLASS C LIQUOR LICENSE AT 101 NORTH 14TH STREET, SUITE 6 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89790 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Tipitnebkelsner, LLC dba 1867 Bar for a Class "C" liquor license at 101 North 14th Street, Suite 6, Lincoln, Nebraska, for the license period ending October 31, 2016, be approved with the condition that:

1. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.

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2. The premises must comply in every respect with all city and state regulations.
The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

MANAGER APPLICATION OF KELSEY M. GRAVES FOR TIPITNEBKELSER, LLC DBA 1867 BAR AT 101 NORTH 14TH STREET, SUITE 6 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89791 WHEREAS, Tipitnebkelsner, LLC dba 1867 Bar located at 101 North 14th Street, Suite 6, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Kelsey M. Graves be named manager;

WHEREAS, Kelsey M. Graves appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Kelsey M. Graves be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

APPLICATION OF SURYA, LLC DBA SURAJ'S PLACE FOR A CLASS D LIQUOR LICENSE AT 5640 HIDCOTE DRIVE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89792 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Surya, LLC dba Suraj's Place for a Class "D" liquor license at 5640 Hidcote Drive, Lincoln, Nebraska, for the license period ending April 30, 2017, be approved with the condition that:

1. Applicant must successfully complete the responsible beverage manager training course required by Section 5.04.035 of the Lincoln Municipal Code prior to receiving the liquor license from the City Clerk.

2. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.

3. The premises must comply in every respect with all city and state regulations.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

MANAGER APPLICATION OF AMRITA B. MAHAPATRA FOR SURYA, LLC DBA SURAJ'S PLACE AT 5640 HIDCOTE DRIVE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89793 WHEREAS, Surya, LLC dba Suraj's Place located at 5640 Hidcote Drive, Nebraska has been approved for a Retail Class "D" liquor license, and now requests that Amrita B. Mahapatra be named manager;

WHEREAS, Amrita B. Mahapatra appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Amrita B. Mahapatra be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

APPLICATION OF HOOKSBIZ, INC. DBA TANNER'S BAR & GRILL FOR A CLASS I LIQUOR LICENSE AT 6940 A STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89794 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Hooksbiz, Inc. dba Tanner's Bar & Grill for a Class "I" liquor license at 6940 A Street, Lincoln, Nebraska, for the license period ending April 30, 2017, be approved with the condition that:

1. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.
2. The premises must comply in every respect with all city and state regulations.
3. There be no business or personal alcohol related offenses by the applicant within the first year after approval.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

MANAGER APPLICATION OF BRETT C. CLURE FOR HOOKSBIZ, INC. DBA TANNER'S BAR & GRILL AT 6940 A STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89795 WHEREAS, Hooksbiz, Inc. dba Tanner's Bar & Grill located at 6940 A Street, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Brett C. Clure be named manager; WHEREAS, Brett C. Clure appears to be a fit and proper person to manage said business. NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Brett C. Clure be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

APPLICATION OF BES AND BELLAS, LLC DBA FLORIO'S FOR A CLASS I LIQUOR LICENSE AT 7300 SOUTH 13TH STREET;

MANAGER APPLICATION OF BESMIR GJOKA FOR BES AND BELLAS, LLC DBA FLORIO'S AT 7300 SOUTH 13TH STREET - PRIOR to reading:

CAMP Moved to continue Public Hearing & Action to 6/27/16.

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

APPLICATION OF EMPYREAN BREWING COMPANY DBA EMPYREAN BREWING COMPANY FOR THE ADDITION OF A CATERING LICENSE TO THEIR CLASS L LIQUOR LICENSE AT 300 SOUTH 7TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89796 That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Empyrean Brewing Company dba Empyrean Brewing Company for the addition of a catering license to their existing Class L liquor license located at 300 South 7th Street, Lincoln, Nebraska, be approved with the condition that the premises complies in every respect with all City and State regulations.

BE IT FURTHER RESOLVED that the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

MANAGER APPLICATION OF CYNTHIA B. ELLIOTT FOR KINSETH HOTEL CORPORATION DBA HAMPTON INN AT 7343 HUSKER CIRCLE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89797 WHEREAS, Kinseth Hotel Corporation dba Hampton Inn located at 7343 Husker Circle, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Cynthia B. Elliott be named manager;

WHEREAS, Cynthia B. Elliott appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Cynthia B. Elliott be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

MANAGER APPLICATION OF CYNTHIA B. ELLIOTT FOR KINSETH HOTEL CORPORATION DBA RESIDENCE INN AT 5865 BOBOLI LANE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

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A-89798 WHEREAS, Kinseth Hotel Corporation dba Residence Inn located at 5865 Boboli Lane, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Cynthia B. Elliott be named manager;

WHEREAS, Cynthia B. Elliott appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Cynthia B. Elliott be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

MANAGER APPLICATION OF IAN J. BUTLER FOR SHOPKO STORES OPERATING CO., LLC DBA SHOPKO #47 AT 100 SOUTH 66TH STREET, SHOPKO #172 AT 3400 NORTH 27TH STREET, AND SHOPKO #175 AT 6845 SOUTH 27TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89799 WHEREAS, Shopko Stores Operating Co., LLC dba Shopko #47 located at 100 South 66th Street, Shopko #172 located at 3400 North 27th Street, and Shopko #175 located at 6845 South 27th Street, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Ian J. Butler be named manager;

WHEREAS, Ian J. Butler appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Ian J. Butler be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

APPLICATION OF COTTONWOOD CAFÉ, LLC DBA COTTONWOOD CAFÉ TO EXPAND ITS CLASS C LIQUOR LICENSE BY THE ADDITION TO THE AREA OF A NEW LICENSED AREA DESCRIBED AS A ONE STORY BUILDING MEASURING APPROXIMATELY 81 FEET BY 88 FEET INCLUDING AN OUTDOOR AREA MEASURING APPROXIMATELY 12 FEET BY 48 FEET TO THE SOUTH EXCLUDING BASEMENT LOCATED AT 440 SOUTH 11TH STREET, SUITE C - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89800 That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Cottonwood Café, LLC dba Cottonwood Café to expand its licensed premises by the addition to the area of a new licensed area described as a one story building measuring approximately 81 feet by 88 feet including an outdoor area measuring approximately 12 feet by 48 feet to the south excluding basement, at 440 South 11th Street, Suite C, Lincoln, Nebraska, be approved with the condition that the premises complies in every respect with all City and State regulations, specifically the Smoking Regulation Act and the Nebraska Clean Indoor Air Act.

BE IT FURTHER RESOLVED that the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

APPLICATION OF NHC, LLC DBA CRAWFORD'S TO DELETE AN AREA MEASURING APPROXIMATELY 5 FEET BY 32 FEET AND THE OUTDOOR AREA MEASURING APPROXIMATELY 22 FEET BY 30 FEET FROM ITS CLASS CK LIQUOR LICENSE AT 101 NORTH 14TH STREET, SUITE 1, FOR A NEW DESCRIPTION AS IRREGULAR SHAPED AREA ON MAIN FLOOR MEASURING APPROXIMATELY 65 FEET BY 48 FEET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89801 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act including Neb. Rev. Stat. § 53-132, the pertinent City ordinances, and Resolution No. A-66729, the City Council recommends that the application of NHC, LLC dba Crawford's to delete an area measuring approximately 5 feet by 32 feet and the outdoor area measuring approximately 22 feet by 30 feet from its Class CK licensed premises located at 101 North 14th Street, Suite 1, Lincoln, Nebraska, for a new licensed area described as: irregular shaped area on main floor measuring approximately 65 feet by 48 feet, be approved with the condition that the premise complies in every respect with all City and State regulations.

BE IT FURTHER RESOLVED that the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

APPLICATION OF SMG FOOD & BEVERAGE, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 786 FEET BY 482 FEET AND 2082 FEET BY 18 FEET AT PINNACLE BANK ARENA AT 400 PINNACLE ARENA DRIVE ON JULY 8 & 9, 2016 FROM NOON TO 2:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89802 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of SMG Food & Beverage, LLC for a special designated license to cover an outdoor area measuring approximately 786 feet by 482 feet and 2082 feet by 18 feet at Pinnacle Bank Arena at 400 Pinnacle Arena Drive, Lincoln, Nebraska, on July 8 & 9, 2016, between the hours of noon and 2:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

APPLICATION OF ZIPLINE BREWING CO. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 70 FEET BY 72 FEET AT 2100 MAGNUM CIRCLE, SUITE 1 ON JULY 1, 2016 FROM 3:00 P.M. TO 9:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89803 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Zipline Brewing Co. for a special designated license to cover an outdoor area measuring approximately 70 feet by 72 feet at 2100 Magnum Circle, Suite 1, Lincoln, Nebraska, on July 1, 2016, between the hours of 3:00 p.m. and 9:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

APPLICATION OF WUNDERROSA, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 1000 FEET BY 700 FEET PLUS IRREGULAR UPPER LEVEL OF BASEBALL FIELD MEASURING APPROXIMATELY 600 FEET BY 700 FEET INCLUDING A BAR MEASURING APPROXIMATELY 20 FEET BY 12 FEET AND A BUFFET AREA TO THE SOUTH MEASURING APPROXIMATELY 30 FEET BY 25 FEET AT LEVY RESTAURANT AT HAYMARKET PARK AT 403 LINE DRIVE ON JULY 13, 2016 FROM 5:00 P.M. TO 10:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89804 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of WunderRosa, LLC for a special designated license to cover an area measuring approximately 1000 feet by 700 feet plus irregular upper level of baseball field measuring approximately 600 feet by 700 feet including a bar measuring approximately 20 feet by 12 feet and a buffet area to the south measuring

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approximately 30 feet by 25 feet at Levy Restaurant at Haymarket Park at 403 Line Drive, Lincoln, Nebraska, on July 13, 2016, between the hours of 5:00 p.m. and 10:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

APPLICATION OF STONEBRIDGE VINEYARD, INC. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 1000 FEET BY 700 FEET PLUS IRREGULAR UPPER LEVEL OF BASEBALL FIELD MEASURING APPROXIMATELY 600 FEET BY 700 FEET INCLUDING A BAR MEASURING APPROXIMATELY 20 FEET BY 12 FEET AND A BUFFET AREA TO THE SOUTH MEASURING APPROXIMATELY 30 FEET BY 25 FEET AT LEVY RESTAURANT AT HAYMARKET PARK AT 403 LINE DRIVE ON JULY 13, 2016 FROM 4:00 P.M. TO 11:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89805 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Stonebridge Vineyard, Inc. for a special designated license to cover an area measuring approximately 1000 feet by 700 feet plus irregular upper level of baseball field measuring approximately 600 feet by 700 feet including a bar measuring approximately 20 feet by 12 feet and a buffet area to the south measuring approximately 30 feet by 25 feet at Levy Restaurant at Haymarket Park at 403 Line Drive, Lincoln, Nebraska, on July 13, 2016, between the hours of 4:00 p.m. and 11:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

APPLICATION OF GLACIAL TILL VINEYARD & WINERY, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 1000 FEET BY 700 FEET PLUS IRREGULAR UPPER LEVEL OF BASEBALL FIELD MEASURING APPROXIMATELY 600 FEET BY 700 FEET INCLUDING A BAR MEASURING APPROXIMATELY 20 FEET BY 12 FEET AND A BUFFET AREA TO THE SOUTH MEASURING APPROXIMATELY 30 FEET BY 25 FEET AT LEVY RESTAURANT AT HAYMARKET PARK AT 403 LINE DRIVE ON JULY 13, 2016 FROM 5:00 P.M. TO 11:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89806 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Glacial Till Vineyard & Winery, LLC for a special designated license to cover an area measuring approximately 1000 feet by 700 feet plus irregular upper level of baseball field measuring approximately 600 feet by 700 feet including a bar measuring approximately 20 feet by 12 feet and a buffet area to the south measuring approximately 30 feet by 25 feet at Levy Restaurant at Haymarket Park at 403 Line Drive, Lincoln, Nebraska, on July 13, 2016, between the hours of 5:00 p.m. and 11:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.

4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

APPLICATION OF WHISKEY RUN CREEK VINEYARD & WINERY, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 1000 FEET BY 700 FEET PLUS IRREGULAR UPPER LEVEL OF BASEBALL FIELD MEASURING APPROXIMATELY 600 FEET BY 700 FEET INCLUDING A BAR MEASURING APPROXIMATELY 20 FEET BY 12 FEET AND A BUFFET AREA TO THE SOUTH MEASURING APPROXIMATELY 30 FEET BY 25 FEET AT LEVY RESTAURANT AT HAYMARKET PARK AT 403 LINE DRIVE ON JULY 13, 2016 FROM 5:00 P.M. TO 10:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89807 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Whiskey Run Creek Vineyard & Winery, LLC for a special designated license to cover an area measuring approximately 1000 feet by 700 feet plus irregular upper level of baseball field measuring approximately 600 feet by 700 feet including a bar measuring approximately 20 feet by 12 feet and a buffet area to the south measuring approximately 30 feet by 25 feet at Levy Restaurant at Haymarket Park at 403 Line Drive, Lincoln, Nebraska, on July 13, 2016, between the hours of 5:00 p.m. and 10:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

APPLICATION OF JAMES ARTHUR VINEYARDS FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 1000 FEET BY 700 FEET PLUS IRREGULAR UPPER LEVEL OF BASEBALL FIELD MEASURING APPROXIMATELY 600 FEET BY 700 FEET INCLUDING A BAR MEASURING APPROXIMATELY 20 FEET BY 12 FEET AND A BUFFET AREA TO THE SOUTH MEASURING APPROXIMATELY 30 FEET BY 25 FEET AT LEVY RESTAURANT AT HAYMARKET PARK AT 403 LINE DRIVE ON JULY 13, 2016 FROM 7:00 P.M. TO 11:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89808 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of James Arthur Vineyards for a special designated license to cover an area measuring approximately 1000 feet by 700 feet plus irregular upper level of baseball field measuring approximately 600 feet by 700 feet including a bar measuring approximately 20 feet by 12 feet and a buffet area to the south measuring approximately 30 feet by 25 feet at Levy Restaurant at Haymarket Park at 403 Line Drive, Lincoln, Nebraska, on July 13, 2016, between the hours of 5:00 p.m. and 11:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

PUBLIC HEARING - RESOLUTIONS

APPROVING THE TOP HAT TAVERN AS A KENO SATELLITE AT 736 WEST CORNHUSKER HIGHWAY -
CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-89809 WHEREAS, the City of Lincoln and the County of Lancaster, Nebraska have entered into an Interlocal Agreement for the purpose of providing for a joint City-County keno lottery; and
WHEREAS, the City has entered into a contract for the operation of a keno type lottery with EHPV Lottery Services, LLC, a Nebraska limited liability company; and
WHEREAS, Section 5 of the Interlocal Agreement and Section 3(b) of the Keno Contract grant the City the authority to approve all satellite locations within the corporate limits of Lincoln; and
WHEREAS, all requirements under the Interlocal Agreement and the Keno Contract governing the establishment and location of keno satellite sites have been met.
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that a keno satellite site is hereby authorized at the location of The Top Hat Tavern, 736 West Cornhusker Highway, Lincoln, NE 68521.

The City Clerk is directed to return an executed copy of this Resolution to The Top Hat Tavern, 736 West Cornhusker Highway, Lincoln, NE 68521.

Introduced by Roy Christensen

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

APPROVING THE 2016-17 WORK PLAN FOR THE INTERLOCAL AGREEMENT ON STORMWATER MANAGEMENT BETWEEN THE CITY OF LINCOLN AND THE LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT TO ADDRESS STORMWATER QUALITY AND QUANTITY ISSUES - PRIOR to reading:

CAMP Moved to continue Action until 7/11/16.

Seconded by Lamm & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm; NAYS: Raybould; ABSENT: Fellers.

PUBLIC HEARING ORDINANCES - 2ND READING & RELATED RESOLUTIONS (as required)

AMENDING SECTION 2.62.140 OF THE LINCOLN MUNICIPAL CODE TO ELIMINATE THE 13TH CHECK ACCOUNTING POOL AND PAY 13TH CHECK BENEFITS DIRECTLY FROM THE POLICE AND FIRE PENSION - CLERK read an ordinance, introduced by Roy Christensen, an ordinance amending Chapter 2.62 of the Lincoln Municipal Code relating to cost of Living Adjustment; Initial Amounts: Annual Increases; How Funded by amending Section 2.62.140 to eliminate the 13th Check accounting pool and pay 13th Check benefits directly from the Police and Fire Pension; and repealing Section 2.62.140 as hitherto existing, the second time.

AMENDING SECTION 2.65.140 OF THE LINCOLN MUNICIPAL CODE TO ELIMINATE THE 13TH CHECK ACCOUNTING POOL AND PAY 13TH CHECK BENEFITS DIRECTLY FROM THE POLICE AND FIRE PENSION - CLERK read an ordinance, introduced by Roy Christensen, an ordinance amending Chapter 2.65 of the Lincoln Municipal Code relating to cost of Living Adjustment; Initial Amounts: Annual Increases; How Funded by amending Section 2.65.140 to eliminate the 13th Check accounting pool and pay 13th Check benefits directly from the Police and Fire Pension; and repealing Section 2.65.140 as hitherto existing, the second time.

AMENDING SECTION 2.66.107 OF THE LINCOLN MUNICIPAL CODE TO ELIMINATE THE 13TH CHECK ACCOUNTING POOL AND PAY 13TH CHECK BENEFITS DIRECTLY FROM THE POLICE AND FIRE PENSION - CLERK read an ordinance, introduced by Roy Christensen, an ordinance amending Chapter 2.66 of the Lincoln Municipal Code relating to cost of Living Adjustment; Initial Amounts: Annual Increases; How Funded by amending Section 2.66.170 to eliminate the 13th Check accounting pool and pay 13th Check benefits directly from the Police and Fire Pension; and repealing Section 2.66.170 as hitherto existing, the second time.

ORDINANCES - 3rd READING & RELATED RESOLUTIONS

CHANGE OF ZONE 16010 - APPLICATION OF LANCASTER COUNTY BOARD OF COMMISSIONERS FOR A CHANGE OF ZONE FROM R-4 RESIDENTIAL DISTRICT TO B-3 COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 2201 SOUTH 17TH STREET. (RELATED ITEMS 16-53, 16R-110) - CLERK read an ordinance, introduced by Jane Raybould, an ordinance amending the Zoning District Maps adopted by reference and made a part of the Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

RAYBOULD Moved to pass ordinance as read:

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

The ordinance, being numbered #20340, is recorded in Ordinance Book 31.

APPROVING A DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT BETWEEN THE CITY OF LINCOLN, NEBRASKA AND THE COUNTY OF LANCASTER, NEBRASKA TO RESTRICT USE OF THE PROPERTY UNDER THE PROPOSED CHANGE OF ZONE NO. 16010 ON PROPERTY GENERALLY LOCATED AT 2201 SOUTH 17TH STREET. (RELATED ITEMS 16-53, 16R-110) - PRIOR to reading:

RAYBOULD Moved to Amend Bill No. 16R-110 by replacing the Development and Conditional Zoning Agreement between the City of Lincoln, Nebraska and the County of Lancaster, Nebraska which is attached to the resolution with the Development and Conditional Zoning Agreement attached hereto.

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

CLERK Read the following resolution, introduced by Jane Raybould, who moved its adoption as amended:
A-89810 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Development and Conditional Zoning Agreement which is attached hereto marked as Exhibit "A" and made a part hereof by reference, between the City of Lincoln, Nebraska and the County of Lancaster, Nebraska, to restrict use of property generally located at 2201 South 17th Street, should the property be rezoned from R-4 Residential District to B-3 Commercial District, is hereby approved and the Mayor is authorized to execute the Development and Conditional Zoning Agreement on behalf of the City.

BE IT FURTHER RESOLVED that the City Clerk is directed to return one fully executed copy of this Agreement to the Planning Department for distribution to the parties.

BE IT FURTHER RESOLVED that the City Clerk is directed to record the Development and Conditional Zoning Agreement with the Register of Deeds, filing fees to be paid by the Developer.

Introduced by Jane Raybould

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

ORDINANCES - 3rd READING & RELATED RESOLUTIONS

COMP. PLAN AMENDMENT 15004 - AMENDING THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE PLAN DESIGNATION FROM COMMERCIAL, GREEN SPACE, AND ENVIRONMENTAL RESOURCES TO RESIDENTIAL-URBAN DENSITY, GREEN SPACE, AND ENVIRONMENTAL RESOURCES, ON PROPERTY GENERALLY LOCATED AT SOUTHWEST 30TH STREET AND WEST A STREET. (RELATED ITEMS. (RELATED ITEMS: 16R-121, 16R-113, 16-57, 16-58) - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89811 WHEREAS, the Planning Director has made application to amend the 2040 Lincoln-Lancaster County Comprehensive Plan to change the land designation in the Lancaster County and Lincoln Area Future Land Use Plan from Commercial, Green Space, and Environmental Resources to Residential-Urban Density, Green Space, and Environmental Resources on property generally located at Southwest 30th Street and West A Street and to make associated amendments to the Comprehensive Plan; and

WHEREAS, the Lincoln City-Lancaster County Planning Commission has recommended approval of the requested changes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that the 2040 Lincoln-Lancaster County Comprehensive Plan be and the same is hereby amended in the following manner:

1. Amend the Lancaster County Future Land Use Plan on pages 1.8 and 12.2 and the Lincoln Area Future Land Use Plan on pages 1.9 and 12.3 to change the land use designation from Commercial, Green Space, and Environmental Resources to Residential-Urban Density, Green Space, and Environmental Resources on property legally described as Lot 45 I.T., Lot 102 I.T., and that portion of Lot 44 I.T. not already designated as Residential-Urban Density, all located in the Southeast Quarter of Section 29, Township 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska.

2. Amend the 2040 Priority Growth Areas map on pages 1.10 and 12.6 to change the Future Growth Tier designation from Tier 1, Priority C to Tier 1, Priority A, on Lot 45 I.T. and Lot 102 I.T., all located in the Southeast Quarter of Section 29, Township 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska.

BE IT FURTHER RESOLVED that all other maps, figures, and plans where the land use map is displayed, including pages 5.6 and 5.17, and other references in said plan which may be affected by the above-specified amendment be, and they hereby are amended to conform with such specific amendments.

Introduced by Jon Camp

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

APPROVING A CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN ANDERSON HOMES, INC. AND THE CITY OF LINCOLN FOR THE DEVELOPMENT AND ANNEXATION OF PROPERTY GENERALLY LOCATED AT SOUTHWEST 30TH STREET AND WEST A STREET. (RELATED ITEMS: 16R-121, 16R-113, 16-57, 16-58) - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-89812 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Conditional Annexation and Zoning Agreement which is attached hereto, marked as Attachment "A" and made a part hereof by reference, between the City of Lincoln and Anderson Homes, Inc., relating to the annexation of property generally located at Southwest 30th Street and West A Street and legally

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described as Lot 45 Irregular Tract and Lot 102 Irregular Tract, located in the Southeast Quarter of Section 29, Township 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska; approval of a Comprehensive Plan Amendment to change the land use designation of the Property to Urban-Density Residential and include the Property in Priority A, Tier 1; re-zoning the Property from AG Agricultural District and AGR Agricultural Residential District to R-4 Residential District; and approval of a special permit for the Scotus Treefield Park Community Unit Plan to allow the Developer to construct up to 582 multi-family dwelling units on the Property, upon condition that Anderson Homes, Inc. agrees to certain development and use restrictions requiring the property being annexed to be sewerred by an ejector pump to be owned, operated, and maintained by Anderson Homes, Inc., as set out in the Agreement is hereby approved and the Mayor is authorized to execute the Conditional Annexation and Zoning Agreement on behalf of the City.

BE IT FURTHER RESOLVED that the City Clerk is directed to return the original and one fully executed copy of the Conditional Annexation and Zoning Agreement to Rachel Jones, Planning Department, for recording with the Register of Deeds and distribution to Anderson Homes, Inc. Recording fees are to be paid in advance by Anderson Homes, Inc.

BE IT FURTHER RESOLVED that the City Clerk is directed to forward a copy of this Agreement to Michaela Dugan, Impact Fee Administrator.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

ANNEXATION 15014 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 41.84 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTHWEST 30TH STREET AND WEST A STREET. (RELATED ITEMS: 16R-121, 16R-113, 16-57, 16-58) - CLERK read an ordinance, introduced by Jon Camp, an ordinance annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate Limits boundary of the City of Lincoln, Nebraska established and shown thereon, the third time.

CAMP Moved to pass ordinance as read:

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

The ordinance, being numbered **#20341**, is recorded in Ordinance Book 31.

CHANGE OF ZONE 15036 - APPLICATION OF ANDERSON HOMES, INC. FOR A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL DISTRICT AND AG AGRICULTURAL DISTRICT TO R-4 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTHWEST 30TH STREET AND WEST A STREET. (RELATED ITEMS: 16R-121, 16R-113, 16-57, 16-58) - CLERK read an ordinance, introduced by Jon Camp, an ordinance amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.050.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

CAMP Moved to pass ordinance as read:

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

The ordinance, being numbered **#20342**, is recorded in Ordinance Book 31.

RESOLUTIONS - 1ST READING

APPOINTING JOHN SINCLAIR TO THE NEBRASKA CAPITOL ENVIRONS COMMISSION FOR A TERM EXPIRING JANUARY 9, 2019. (*CONSENT*)

REAPPOINTING REBECCA HENDERSON, JIM JOHNSON, AND ARTHUR ZYGIELBAUM TO THE TELECOMMUNICATION/CABLE TELEVISION ADVISORY BOARD FOR TERMS EXPIRING JULY 1, 2019. (*CONSENT*)

REAPPOINTING MELISSA FILIPI TO THE KENO/HUMAN SERVICES BOARD FOR A TERM EXPIRING DECEMBER 31, 2019. (*CONSENT*)

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF JUNE 1-15, 2016.

APPROVING THE FISCAL YEAR 2016 ANNUAL ACTION PLAN: ONE YEAR USE OF FUNDS FOR HUD ENTITLEMENT PROGRAMS USING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME, AND EMERGENCY SOLUTIONS GRANT (ESG) FUNDS.

AMENDING THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA TO PROVIDE SPECIFIC ENHANCEMENTS TO THE EXISTING FBST ONLINE FOOD HANDLER AND BEVERAGE SERVER/SELLER ALCOHOL TRAINING PROGRAM. (*CONSENT*)

ORDINANCES - 1ST READING & RELATED RESOLUTIONS (AS REQUIRED)

ANNEXATION 16006 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 7.88 ACRES OF PROPERTY GENERALLY LOCATED AT 7601 PINE LAKE ROAD. (RELATED ITEMS: 16-63, ~~16-65~~ 16-64, 16R-131) - CLERK read an ordinance, introduced by Carl Eskridge, an ordinance annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the first time.

CHANGE OF ZONE 16014 - APPLICATION OF HIGHWAY 2 DEVELOPMENT, LLC FOR A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 7601 PINE LAKE ROAD. (RELATED ITEMS: 16-63, 16-64, 16R-131) - CLERK read an ordinance, introduced by Carl Eskridge, an ordinance amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

SPECIAL PERMIT NO. 16018 - APPLICATION OF HIGHWAY 2 DEVELOPMENT, LLC TO ALLOW THE CONSTRUCTION OF A RESIDENTIAL HEALTH CARE FACILITY FOR UP TO 120 RESIDENTS WITH AN ADJUSTMENT TO EXCEED THE MAXIMUM HEIGHT FROM 35 FEET TO 44 FEET, ON PROPERTY GENERALLY LOCATED AT 7601 PINE LAKE ROAD. (RELATED ITEMS: 16-63, 16-64, 16R-131)

APPROVING THE 48TH & HOLDREGE REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND 48TH STREET INVESTMENTS, LLC RELATING TO THE REDEVELOPMENT OF PROPERTY GENERALLY LOCATED BETWEEN 48TH AND 49TH STREET, HOLDREGE AND AYLESWORTH FOR A NEW FIVE STORY BUILDING WITH FIRST FLOOR RETAIL AND FOUR STORIES OF RESIDENTIAL USE WITH APPROXIMATELY 98 APARTMENT UNITS. (RELATED ITEMS: 16R-132, 16R-133, 16-65, 16-66, 16-67)

AMENDING THE FY 15/16 CIP TO AUTHORIZE AND APPROPRIATE \$1,860,000 IN TIF FUNDS FOR THE 48TH & HOLDREGE PROJECT. (RELATED ITEMS: 16R-132, 16R-133, 16-65, 16-66, 16-67)

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS FOR THE 48TH & HOLDREGE REDEVELOPMENT PROJECT. (RELATED ITEMS: 16R-132, 16R-133, 16-65, 16-66, 16-67) - CLERK read an ordinance, introduced by Carl Eskridge, an ordinance authorizing and providing for the issuance of City of Lincoln, Nebraska tax allocation bonds, notes or other obligations, in one or more taxable or tax-exempt series, in an aggregated principal amount not to exceed \$2,454,600 for the [purpose pf (1) paying the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain improvements within the City's 48th & Holdrege redevelopment project area.

including acquiring any real estate and/or interests in real estate in connection therewith, and (2) paying the costs of issuance thereof; prescribing the form and certain details of the bonds, notes or other obligations; pledging certain tax revenue and other revenue to the payment of the principal of and interest of the bonds, notes or other obligations as the same become due; limiting payment of the bonds, notes or other obligations to such tax revenues; creating and establishing funds and accounts; delegating, authorizing and directing the finance director to exercise his independent discretion and judgment in determining and finalizing certain terms and provisions of the bonds, notes or other obligations not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters, the first time.

STREET & ALLEY VACATION 16002 - VACATING THE NORTH-SOUTH ALLEY IN BLOCK 35 OF MILL’S SUBDIVISION OF BLOCKS 34 AND 35 TO UNIVERSITY PLACE, FROM THE NORTH LINE OF HOLDREGE STREET TO THE NORTH LINE OF THE EXISTING EAST-WEST ALLEY TO THE NORTH; AND VACATING THE EAST-WEST ALLEY IN SAID BLOCK 35, FROM THE WEST LINE OF 49TH STREET TO THE WEST LINE OF EXISTING NORTH-SOUTH ALLEY TO THE WEST. (RELATED ITEMS: 16R-132, 16R-133, 16-65, 16-66, 16-67) - CLERK read an ordinance, introduced by Carl Eskridge, an ordinance vacating the north-south alley in Block 35 of Mill's Subdivision of Blocks 34 and 35 to University Place, from the north line of Holdrege Street north to the north line of the existing east-west alley in said Block 35, from the west line of 49th Street went to the west line of existing north-south alley, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the first time.

CHANGE OF ZONE 16016 - APPLICATION OF 48TH STREET DEVELOPMENT, LLC FOR A CHANGE OF ZONE FROM B-1 LOCAL BUSINESS DISTRICT, H-2 HIGHWAY DISTRICT, AND O-2 SUBURBAN OFFICE DISTRICT TO B-3 COMMERCIAL BUSINESS DISTRICT; AND DESIGNATING SAID PROPERTY AS A PLANNED UNIT DEVELOPMENT DISTRICT, INCLUDING WAIVERS FOR STORM WATER DETENTION, BUILDING HEIGHT, SETBACKS, AND SCREENING AND LANDSCAPING REQUIREMENTS, ON PROPERTY GENERALLY LOCATED AT 48TH AND HOLDREGE STREETS. (RELATED ITEMS: 16R-132, 16R-133, 16-65, 16-66, 16-67) - CLERK read an ordinance, introduced by Carl Eskridge, an ordinance amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

ADJOURNMENT

5:07 P.M.

CAMP Moved to adjourn the City Council Meeting of June 20, 2016.
 Seconded by Raybould & carried by the following vote; AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Fellers.

Teresa Meier, City Clerk

Mo net J. McCullen, Office Specialist